

COUNTY OF SUFFOLK



Steven Bellone
SUFFOLK COUNTY EXECUTIVE
Department of
Economic Development and Planning

Natalie Wright
Commissioner

Division of Planning and Environment

DRAFT STAFF REPORT

Pursuant to Chapter 8 of the Suffolk County Administrative Local Laws

Application No. 2021010

Landowner: Gabrielsen Farms LLC
Applicant: Carl Gabrielsen of Gabrielsen Farms LLC
Address: Manor Lane, Jamesport, Town of Riverhead
Tax Map #: 0600-047.00-01.00-003.008
Operation: Horticulture

Proposal: The applicant seeks an Agricultural Development Permit and Special Use Permit for the following proposed improvements, in association with a horticulture operation:

- 1) Increase the size of a previously approved proposed shed;
- 2) Underground water/irrigation utility lines;
- 3) Eight (8) propane tanks;
- 4) Underground propane gas utility lines;
- 5) One (1) underground phone line;
- 6) Two (2) stone covered areas of road;
- 7) Three (3) hedge row landscape/wind screens; and

Analysis: The subject property is 32.4 ± acres in size, and is located on the w/s/o Manor Lane, in the hamlet of Jamesport, Town of Riverhead. The property is identified by Suffolk County Real Property Tax Map (SCRPTM) number 0600-047.00-01.00-003.008.

The County of Suffolk ("County") purchased the development rights to the property from TDG Jamesport Owner LLC on July 3, 2018. On March 16, 2021, TDG Jamesport Owner LLC transferred the underlying fee title of the property to Carl Gabrielsen of Gabrielsen Farms LLC, the current owner.

The Applicant seeks permission from the Suffolk County Farmland Committee ("Committee") to increase the size of a proposed shed structure that was previously approved by the Committee at its May 20, 2021 meeting. The original approval was for a shed structure measuring approximately 10 feet in width by 10 feet in length (100 square feet) and 10 feet in height. The currently proposed larger shed structure will instead measure approximately 10 feet in width by 20 feet in length (200 square feet) and 12 feet in height and will be located approximately 220 feet from the western border and 826 feet from the northern border. The shed will be used to cover the existing well, fertilizer injectors, and filters. The shed will consist of wood and aluminum construction on a cement slab.

Also proposed are 3-inch diameter PVC underground water/irrigation utility lines totaling approximately 385 linear feet and connecting to the existing irrigation main to provide required water supply to the existing greenhouse. A 265 foot line will run east and west and will be located 260 feet from the northern border. A 120 foot line will run north and south and will be located 293 feet to the eastern border. The lines will be installed at a depth of approximately 3 feet below surface grade.

Also proposed are eight (8) propane tanks to provide heat to the existing greenhouse. The Committee previously approved, at its May 20, 2021 meeting, a proposed underground gas utility line connection from Manor Lane, however, the applicant states that the gas company cannot guarantee that they can provide natural gas service from the street, so they are requesting to switch to the proposed propane tanks. Five (5) of the tanks will be 1,000 gallons and measure 36 inches by 15 feet, 9 inches and three (3) of the tanks will be 500 gallons and measure 36 inches by 9 feet, 9 inches. Four tanks will be located 40 feet from the northern border. Two of which will be located 25 feet from the west side of the existing greenhouse and the other two will be located 25 feet from the east side of the existing greenhouse. The other four tanks will be located 25 feet from the south side of the existing greenhouse. Two of which will be located 377 feet from the eastern border and two will be located 289 feet from the western border. The landowner, Carl Gabrielsen, has indicated that he has consulted with the Town in regard to the placement of the propane tanks to meet Town requirements. It is noted that any approval by the Committee would be subject to the condition that the landowner obtain applicable Town review and approval.

The applicant further proposes underground gas lines to supply the greenhouse with heat to keep the plants from freezing. The gas lines will be $\frac{3}{4}$ inch in diameter and will be installed at a depth of approximately 18 inches below surface grade. The gas lines will connect to the eight propane tanks in four sections totaling approximately 629 linear feet.

Also proposed is an underground phone line that will measure approximately 570 feet in length, and will run from Manor Lane to the greenhouse. The phone line will be installed at a depth of approximately 18 inches below surface grade and will be located 140 feet from the northern border.

The applicant also proposes two (2) stone covered areas of the existing dirt road for ease of moving trucks when the ground is wet. Each area will be approximately 6 inches deep and measure 10 feet by 80 feet totaling 1,600 square feet of stone covered road. One area will be located 14 feet from the eastern border, and the other area will be located 25 feet from the western border.

Lastly, the applicant proposes three (3) hedge row landscape/wind screens to protect the greenhouse from extreme wind events and storms and to break the wind and keep the greenhouse warmer in winter months. The applicant states it would also block the neighbor's view of the greenhouse. One (east/west) landscape/wind screen will measure approximately 520 feet in length and consist of 75 pine trees planted 7 feet apart. A second (east/west) landscape/wind screen will measure approximately 320 feet in length and consist of 16 linden trees planted 15 feet apart, and will be located 50 feet from the south side of the greenhouse. The third (north/south) landscape/wind screen will measure approximately 243 feet in length and consist of 6 linden trees planted 15 feet apart, and will be located 50 feet from the east side of the greenhouse.

All of the aforementioned proposed improvements will be located on the property, as depicted in the updated site plan-survey received by the County on August 27, 2021 and attached as Exhibit A to the Department of Economic Development and Planning, Division of Planning and Environment Staff Report Application No. 2021010.

Pursuant to Chapter 8, Agricultural Development Permits may be granted by the Farmland Committee for the construction of structures provided that the Committee determines that such structures are necessary for agricultural production. In addition, pursuant to Chapter 8, site disturbances may be approved via the issuance of Special Use Permits provided said disturbances are only associated with standard agricultural practices, drainage improvements and/or agricultural development permits. Based on the application materials submitted, it appears that the proposed improvements are consistent with such requirements.

Staff Recommendation:

Approval of the Agricultural Development Permit and Special Use Permit for the above-referenced improvements, subject to the following conditions:

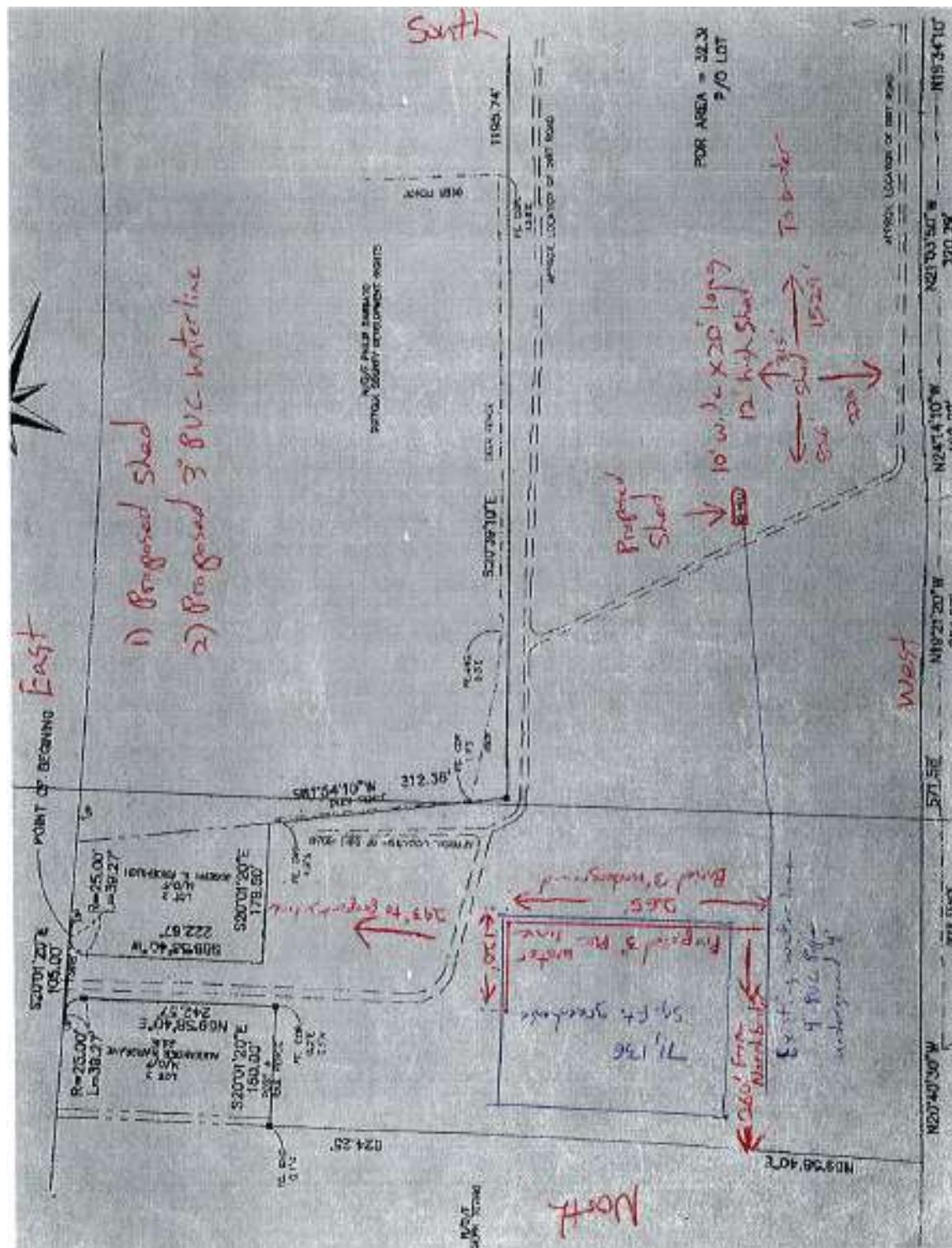
1. The proposed shed shall measure approximately 10 feet in width by 20 feet in length (200 square feet) and 12 feet in height and shall be located approximately 220 feet from the western border and 826 feet from the northern border. The approval specifically for this shed structure shall supersede prior approval specifically for a smaller shed structure that was previously granted by SCFC Resolution (#FC-15-2021) and Permit (# PFC2021012). This modification shall not affect any other structures and improvements that were previously granted approval by said SCFC Resolution and Permit; and
2. The shed shall consist of a wood and aluminum construction on a cement slab and shall be utilized for covering the well; and
3. The proposed 3-inch diameter PVC underground water/irrigation utility lines shall total 385 linear feet and connect to the existing irrigation main to provide required water supply to the existing greenhouse; and
4. The water/irrigation lines shall be installed at a depth of approximately 3 feet below surface grade; and
5. One of the water/irrigation lines shall measure approximately 265 feet in linear length, shall run east and west, and be located 260 feet from the northern border; and
6. The other water/irrigation line shall measure approximately 120 feet in linear length, shall run north and south and be located 293 feet from the eastern border; and
7. The proposed eight (8) propane tanks shall provide heat to the existing greenhouse; and
8. Five (5) of the tanks shall be 1,000 gallons and measure 36 inches by 15 feet, 9 inches; and
9. Three (3) of the tanks shall be 500 gallons and measure 36 inches by 9 feet, 9 inches; and
10. Four (4) tanks shall be located 40 feet from the northern border. Two of which shall be 25 feet from the west side of the existing greenhouse and the other two shall be 25 feet from the east side of the existing greenhouse; and
11. The other four (4) tanks shall be located 25 feet from the south side of the greenhouse. Two of which shall be 377 feet from the eastern border and two shall be 289 feet from the western border; and
12. The proposed underground gas lines shall supply the greenhouse with heat to keep the plants from freezing. The gas lines shall be $\frac{3}{4}$ inch in diameter and shall be installed approximately 18 inches below surface grade. The gas lines shall connect to the eight propane tanks in four sections totaling approximately 629 linear feet; and
13. The landowner shall be responsible for obtaining applicable Town review and approval for the proposed propane tanks; and

14. The proposed underground phone line shall measure approximately 570 feet in length, and shall run from Manor Lane to the greenhouse; and
15. The phone line shall be installed at a depth of 18 inches below surface grade and shall be located 140 feet from the northern border; and
16. The proposed stone covered areas of the existing dirt road shall be for ease of moving trucks when the ground is wet; and
17. Each stone covered area shall be approximately 6 inches deep and measure 10 feet by 80 feet totaling 1,600 square feet of stone covered road; and
18. One stone covered area shall be located 14 feet from the eastern border, and the other area shall be located 25 feet from the western border; and
19. The proposed three (3) hedge row landscape/wind screens shall protect the greenhouse from extreme wind events and storms, and break the wind and keep the greenhouse warmer in winter months; and
20. One (east/west) landscape/wind screen shall measure approximately 520 feet in length and consist of 75 pine trees planted 7 feet apart; and
21. The second (east/west) landscape/wind screen shall measure approximately 320 feet in length and consist of 16 linden trees planted 15 feet apart, and will be located 50 feet from the south side of the greenhouse; and
22. The third (north/south) wind screen shall measure approximately 243 feet in length and consist 6 linden trees planted 15 feet apart, and will be located 50 feet from the east side of the greenhouse; and
23. The landowner shall not remove any soil and sand material from the subject County Farm PDR property in connection with the construction and/or installation of the aforementioned proposed improvements; and
24. All of the aforementioned proposed improvements shall be located on the property, as depicted in the updated site plan-survey received by the County on August 27, 2021 and attached as Exhibit A to the Department of Economic Development and Planning, Division of Planning and Environment Staff Report Application No. 2021010; and
25. The landowner shall submit to the Suffolk County Department of Economic Development and Planning, Division of Planning and Environment within one (1) year of permit issuance the as-built survey depicting the aforementioned improvements including the labeled respective dimensions of the irrigation main and well; and
26. The landowner shall prepare and implement a stormwater mitigation plan in consultation with Suffolk County Soil and Water Conservation District and/or Natural Resources Conservation Service to address any and all stormwater runoff issues associated with the aforementioned improvements; and
27. The landowner shall submit to the Suffolk County Economic Development and Planning

Department, Division of Planning and Environment within one (1) year of this letter the Suffolk County Soil and Water Conservation District- and/or Natural Resources Conservation Service- approved stormwater mitigation plan; and

28. The landowner shall be responsible for compliance with all conditions of Farmland Committee Resolution # FC-19-2021, the deed of development rights, the contract of sale, and all applicable federal, state, county, and town regulations, rules and statutes.

EXHIBIT A (Site Plan - 1 of 5)





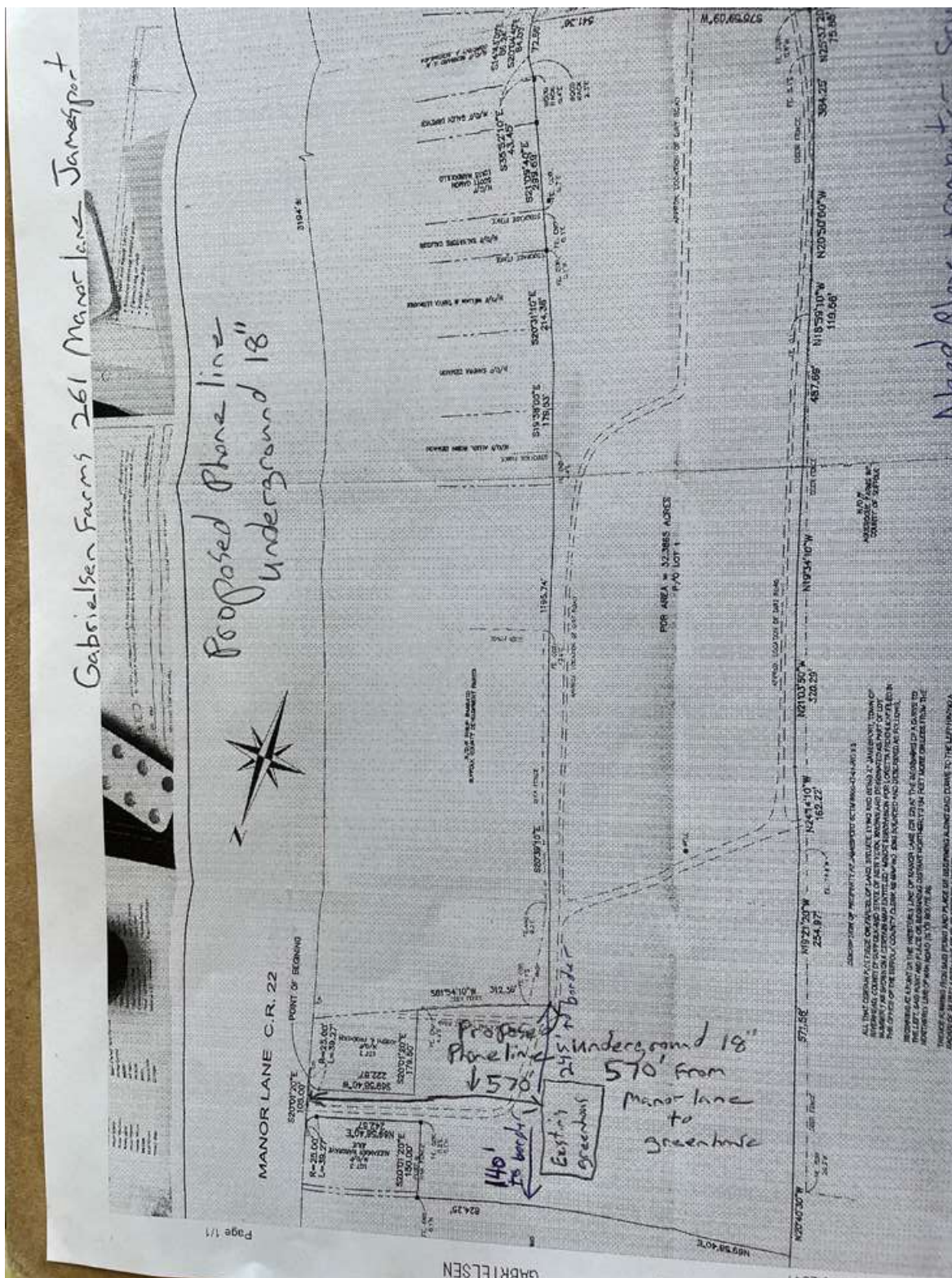
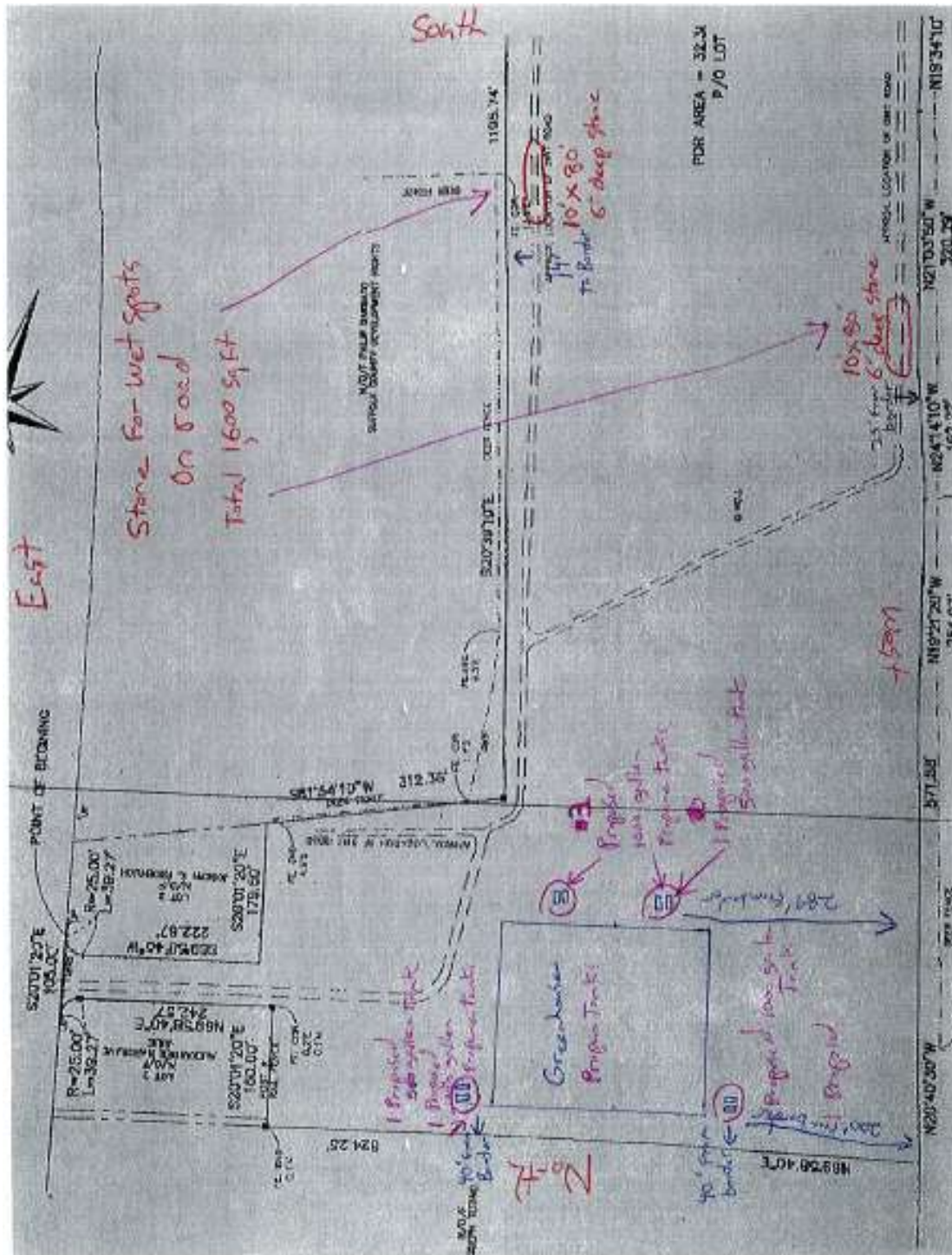
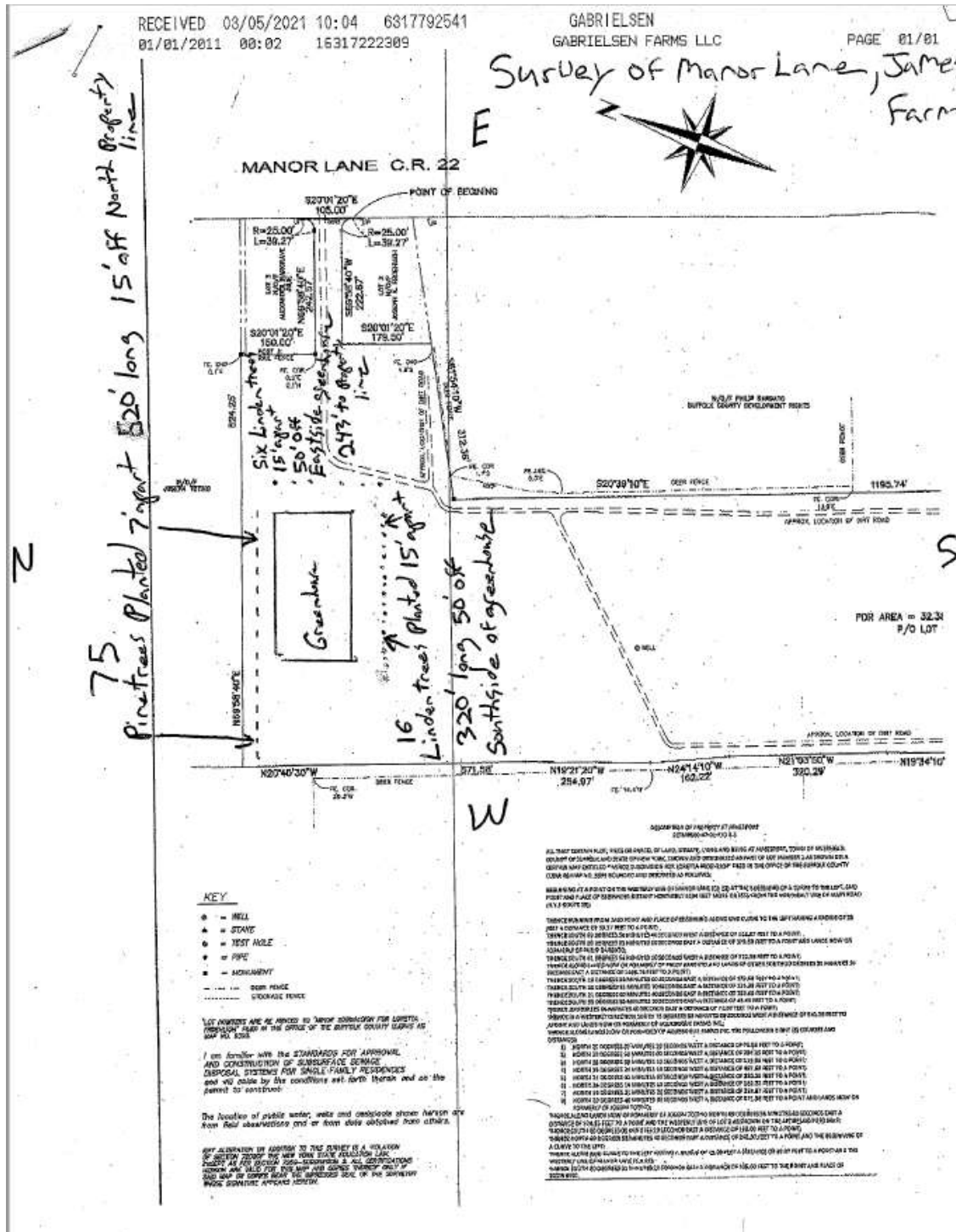


EXHIBIT A (Site Plan – 4 of 5)





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SUFFOLK COUNTY FARMLAND COMMITTEE

DRAFT STAFF REPORT

Pursuant to Chapter 8 of the Suffolk County Administrative Local Laws

Application No. 2021011

Landowner: ELIJA Farm Inc.
Applicant: Debora Thivierge
Address: 43 Foxhurst Road, South Huntington, Town of Huntington
Tax Map #: 0400-203.00-02.00-051.001 p/o and 0400-203.00-02.00-051.005
Operation: Community Supported Agriculture (CSA) / produce operation

Proposal: The applicant seeks a Special Use Permit to host a Special Event, known as “Fall Farm Festival” on the premises on October 9, 2021.

Analysis: The property consists of two parcels totaling 6.1 ± acres, and is located at 43 Foxhurst Road, in the hamlet of South Huntington, Town of Huntington. Moreover, the parcels are identified by Suffolk County Real Property Tax Map (“SCRPTM”) numbers 0400-203.00-02.00-051.001 p/o (3.6 out of 6.3 acres) and 0400-203.00-02.00-051.005 (2.5 acres) (“premises”).

The County of Suffolk (“County”) and Town of Huntington purchased the development rights from ELIJA Farm Inc. to part of SCRPTM number 0400-203.00-02.00-051.001 p/o (3.6 acres) on January 23, 2020. The County and Town also purchased the development rights from Lawrence P. Foglia and Heather Joan Friedman Forest to SCRPTM number 0400-203.00-02.00-051.005 (2.5 acres), and the underlying fee title for this lot was transferred to ELIJA Farm Inc. on January 23, 2020. The current landowner for both lots is ELIJA Farm Inc.

The Applicant requests, by Application No. 2021011, to host a Special Event on the premises on October 9, 2021 from 10:00 am to 2:00 p.m. The Applicant states that the “Fall Farm Festival” event is intended to promote agricultural education and support the farm and community supported agriculture. The event will consist of a farmers market, an art walk, a pick-your-own pumpkin patch, a pumpkin bounce house, and hay rides. These uses will be located as depicted on the Applicant’s event site plan received by Suffolk County on September 10, 2021 and attached as Exhibit A to this Staff Report. According to the applicant, the attendees will be restricted to roads and walkways that are already in place in order to minimize disturbance to the site.

The Applicant states that approximately 300 attendees are expected. Parking will be at Countrywood Primary School and attendees will be shuttled to the event using the usual entrance and exit as ingress and egress as depicted on the Applicant’s event site plan received by Suffolk County on September 10, 2021, and attached as Exhibit A to this Staff Report.

Section 8-2 of the Suffolk County Code states that only special events consisting of agricultural education or the sale, marketing, production, harvesting or use of agricultural products shall be permitted. Moreover, Section 8-8(A)(2)(b) of the Suffolk County Code specifies that only one special event may be permitted on agricultural land per calendar year, that the event shall not exceed two days of operation, and that the event shall not adversely impact the viability of the agricultural operation and/or the associated natural resources. Based on the application material submitted, it appears that the proposed special event is consistent with such requirements.

Staff Recommendation: Approve the request for a special use permit to conduct a special event, subject to the following conditions:

1. The special use permit shall be valid on October 9, 2021 only; and
2. The “Fall Farm Festival” special event shall be conducted in accordance with the proposal received by the Suffolk County Department of Economic Development and Planning, Division of Planning and Environment, on September 10, 2021; and
3. No parking in association with the special event shall be permitted on the premises; and
4. The “Fall Farm Festival” special event shall not adversely impact the viability of the agricultural operation and/or the associated natural resources; and
5. The landowner shall be responsible for compliance with all conditions of Farmland Committee Resolution No. FC-20-2021, the deed of development rights, the contract of sale, and all applicable federal, state, county, and town regulations, rules and statutes.

